UNITED
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Security Council

Distr.
GENERAL

S/25091
11 January 1993

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations with the members of the Security Council, the President of the Council made the following statement, on behalf of the Council, at its 3162nd meeting, held on 11 January 1993, in connection with the Council's consideration of the item entitled "The situation between Iraq and Kuwait":

"The Security Council notes that there have been a number of recent actions by Iraq as part of its pattern of flouting relevant Security Council resolutions. One was the series of border incidents involving the United Nations Iraq-Kuwait Observation Mission (UNIKOM); another was the incident concerning the United Nations Special Commission (UNSCOM) and UNIKOM flights.

"The Security Council is deeply concerned at the incidents reported in the Secretary-General's special report of 10 January 1993 on UNIKOM (S/25085). The Security Council recalls the provisions of resolution 687 (1991) that established the Demilitarized Zone between Iraq and Kuwait and demanded that both countries respect the inviolability of the international boundary between them. It reaffirms that the boundary was at the very core of the conflict and that, in resolutions 687 (1991) and 773 (1991), it guaranteed the inviolability of the boundary and undertook to take as appropriate all necessary measures to that end in accordance with the Charter of the United Nations.

"The Council condemns the action taken by Iraq on 10 January 1993 to remove equipment by force from the Kuwaiti side of the demilitarized zone without prior consultation with UNIKOM, and through UNIKOM with the Kuwaiti authorities, as set out in the letter of 8 January 1993 from the President of the Security Council to the Secretary-General. In particular, the Council draws attention to the removal by Iraq of four HY-2G anti-ship missiles and other military equipment from the six bunkers in the former Iraqi naval base at Umm Qasr on Kuwaiti territory, in spite of the objections of UNIKOM and their efforts to prevent this. This action is a direct challenge to the authority of UNIKOM and amounts

to clear cut defiance by Iraq of the Council, which stipulated in the letter of 3 November 1992 from the President of the Council to the Secretary-General that the military equipment in the six bunkers should be destroyed by or under the supervision of UNIKOM. The Council demands that the anti-ship missiles and other military equipment removed by force from the six bunkers at Umm Qasr in Kuwaiti territory be returned immediately to the custody of UNIKOM for destruction, as previously decided.

"The Council also condemns further Iraqi intrusions into the Kuwaiti side of the demilitarized zone on 11 January 1993. It demands that any future retrieval mission be in accordance with the terms set out in the letter of 8 January 1993 from the President of the Council to the Secretary-General. On the UNIKOM facilities at Camp Khor, the Council stresses that the land and premises occupied by UNIKOM shall be inviolate and subject to the exclusive control and authority of the United Nations.

"The Council invites the Secretary-General, as a first step, to explore on an urgent basis the possibilities for restoring UNIKOM to its full strength and to consider in an emergency such as this the need for rapid reinforcement as set out in paragraph 18 of his report of 12 June 1991 (S/22692), as well as any other suggestions that he might have to enhance the effectiveness of UNIKOM, and to report back to the Council.

"The Council is also alarmed by Iraq's refusal to allow the United Nations to transport its Special Commission (UNSCOM) and UNIKOM personnel into Iraqi territory using its own aircraft. In this connection the Council reiterates the demand in its statement of 8 January 1993 that Iraq permit UNSCOM and UNIKOM to use their own aircraft to transport their personnel into Iraq. It rejects the arguments contained in the letter of 9 January 1993 from the Minister of Foreign Affairs of Iraq to the President of the Security Council (S/25086).

"These latest developments concerning the activities of UNIKOM and UNSCOM constitute further material breaches of resolution 687 (1991), which established the cease-fire and provided the conditions essential for the restoration of peace and security in the region, as well as other relevant resolutions and agreements. The Council demands that Iraq cooperate fully with UNIKOM, UNSCOM and other United Nations agencies in carrying out their mandates, and again warns Iraq of the serious consequences that will flow from such continued defiance. The Council will remain actively seized of the matter."

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Security Council

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GENERAL

S/25092
12 January 1993

ORIGINAL: ENGLISH

LETTER DATED 8 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 22 April 1992, at 1558 hours, two Iranian forces were wounded by the explosion of a mine planted by anti-revolutionaries who had crossed the Iran-Iraq border at the geographical coordinates of 84-71 on the map of Baneh.

2. On 26 May 1992, a number of anti-revolutionaries based in Iraq crossed the international borders and planted a mine at the geographical coordinates of 36-86 on the map of Sardasht which exploded on the same day at 1230 hours, as a result of which one Iranian soldier was martyred and another was injured.

3. On 28 May 1992, at 2345 hours, anti-revolutionaries who had crossed the international borders fired at a base at the geographical coordinates of 02-97 on the map of Oshnavieh.

4. On 19 June 1992, at 2030 hours, anti-revolutionaries who had crossed the Iran-Iraq border ambushed a vehicle (K.M.) at the geographical coordinates of 78-66 on the map of Baneh. In this attack, three Iranian forces were martyred.

5. On 23 June 1992, at 1230 hours, nine Iranian forces clashed with six anti-revolutionaries who had crossed the border at the geographical coordinates of 95-88 on the map of Sepiyarez.

6. On 8 July 1992, at 0002 hours, anti-revolutionaries attacked Behavar Base at the geographical coordinates of 37-89 on the map of Sardasht, causing some damage.

7. On 8 July 1992, at 1700 hours, two soldiers were wounded as a result of the explosion of a mine planted by anti-revolutionaries sent from Iraq at the geographical coordinates of 80-66 on the map of Baneh.

8. On 9 July 1992, at 2400 hours, 40 anti-revolutionaries who had crossed the border invaded Behavar Base at the geographical coordinates of 37-89 on the map of Nanvar. In this attack, two soldiers were injured.

9. On 16 July 1992, at 1900 hours, a patrol unit clashed with the anti-revoutionaries who had crossed the border at the geographical coordinates of 91-61 on the map of Nanvar.

10. On 16 July 1992, at 2400 hours, anti-revolutionaries dispatched from Iraq attacked a base located at the geographical coordinates of 96-69 on the map of Nanvar in the region of Baneh.

11. On 9 July 1992, at 0013 hours, anti-revolutionaries sent from Iraq attacked Nouri Base at the geographical coordinates of 37-89 on the map of Sardasht.

12. On 5 August 1992, at 2230 hours, a patrol unit clashed with anti-revolutionaries who tried to penetrate the territory of the Islamic Republic of Iran at the geographical coordinates of 64-55 on the map of Pyran-Shahr.

13. On 5 August 1992, at 1405 hours, a patrol unit clashed with anti-revolutionaries who tried to penetrate the territory of the Islamic Republic of Iran at the geographical coordinates of 92-98 on the map of Dizadj. In this clash, six Iranian soldiers were martyred and four were injured.

14. On 19 August 1992, at 0300 hours, a patrol unit of Iranian forces clashed with anti-revolutionaries who tried to penetrate the territory of the Islamic Republic of Iran at the geographical coordinates of 29-00 on the map of Sardasht.

15. On 30 August 1992, at 1900 hours, Aghlan Base at the geographical coordinates of 45-36 on the map of A'lavan was invaded by anti-revolutionaries sent from Iraq. In this attack, six Iranian soldiers were martyred, seven were captured and one wounded.

16. On 9 September 1992, at 1800 hours, anti-revolutionaries crossed the international borders and attacked a vehicle at the geographical coordinates of 83-80 on the map of Baneh. In this incident, two Iranian forces were martyred and one was wounded.

17. On 4 September 1992, anti-revolutionaries crossed the border and clashed with a group of 11 Iranian forces at the geographical coordinates of 94-37. The Iranian forces were captured but were released the next day.

18. On 24 September 1992, Iranian forces clashed with anti-revolutionaries sent from Iraq at the geographical coordinates of 92-86 on the map of Sepiyarez.

19. On 4 October 1992, at 1600 hours, a vehicle (Toyota) was attacked by anti-revolutionaries who intended to penetrate the territory of the Islamic Republic of Iran at the geographical coordinates of 00-31 on the map of Marivan. In this attack, two Iranian soldiers were martyred and three were injured.

20. On 6 October 1992, at 1830 hours, a patrol vehicle (Toyota) clashed with a number of anti-revolutionaries who intended to penetrate the territory of the Islamic Republic of Iran at the geographical coordinates of 04-32 on the map of Marivan. One Iranian soldier was injured in this clash.

21. On 7 October 1992, at 1430 hours, a civilian vehicle (Paykan) passed over a mine planted by anti-revolutionaries who had been sent from Iraq, at the geographical coordinates of 92-41 on the map of Marivan. In this accident, three passengers of this vehicle were injured.

22. On 24 September 1992, at 2130 hours, a group of Iranian forces clashed with anti-revolutionaries who intended to penetrate the territory of the Islamic Republic of Iran, at the geographical coordinates of 03-33 on the map of Marivan. In this clash, an Iranian soldier was wounded.

23. On 27 October 1992, at 1054 hours, the explosion of a mine planted by Iraqi forces at the geographical coordinates of 9655-4255 caused human and material losses.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

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Security Council

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GENERAL

S/25093
14 January 1993
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 11 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 11 January 1993 from Mr. Hamid Yusuf Hammadi, Acting Minister for Foreign Affairs of the Republic of Iraq, concerning the violations of Iraqi airspace by the United States U-2 spy-plane.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Letter dated 11 January 1993 from the Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I have the honour to refer you to our many letters addressed to you, to your predecessor and to the Executive Chairman of the Special Commission concerning violations of Iraqi airspace by the United States U-2 spy-plane on the pretext of carrying out an aerial survey on behalf of the United Nations Special Commission.

You perhaps recall that the Special Commission notified the Iraqi side on 1 August 1991 that it had decided to conduct aerial reconnaissances of Iraq using a United States U-2 spy-plane operating from Saudi territory. On 6 August 1991, the Iraqi Government sent a reply to this letter objecting to the use of this aircraft, by force and in a quasi-combat role, over the territory of Iraq. It stated that the choice of a United States aircraft and an American pilot for this task confirmed suspicions that the aircraft's mission would be exploited for purposes other than those of the United Nations and, moreover, that the choice of the U-2 aircraft itself represented a violation of the undertaking given by the Executive Chairman of the Special Commission in his letter of 15 May 1991 addressed to the Iraqi side stating that "the Government of Iraq may in each case designate an observer to accompany the team taking the aerial photography".

Most regrettably, the United Nations and the Special Commission took no notice of Iraq's legitimate objections, and the United States U-2 spy-plane began its violations of Iraqi airspace operating from Saudi territory on 12 August 1991. As of 10 January 1993, the number of such violations had reached 106, each of three to six hours in duration. With each violation and on each occasion, Iraq spared no effort to enlighten the United Nations and the Special Commission, with tangible evidence, as to the true function of the aircraft, namely to spy on Iraq for purposes connected with United States policy that bear no relation to the goals of the United Nations and the terms of Security Council resolution 687 (1991). In his meetings with the members of the Security Council in March and November 1992, Mr. Tariq Aziz, the Deputy Prime Minister, stressed the hazards inherent in the continued use of the aircraft in a manner so inconsistent with the tasks and mandate entrusted to the Special Commission. The Deputy Prime Minister made it clear to the members of the Council that the use made of the aircraft had political and intelligence-gathering objectives that posed a threat to Iraq's security, and he urged a halt to the activities of an aircraft that was exploiting the cover provided by the United Nations to spy on Iraq and to advance political and intelligence-gathering purposes that bore no relation to resolution 687 (1991). The aircraft has nevertheless continued its dubious missions and has even added to them, inasmuch as it has recently increased its overflights to a rate of three a week.

A quick glance at the route taken by the aircraft during its 106 overflights of Iraqi territory indicates unequivocally that the targets chosen by it and the timing of its missions are dictated by the intelligence-gathering and political requirements of the United States and not by the needs of the Special Commission or the United Nations.

An example that demonstrates the veracity of this statement is the incident of 4 October 1991, when the aircraft's penetration coincided with the violation of Iraq's airspace by Israeli aircraft in such a way as to confirm that there were hostile goals underlying the apparent coincidence.

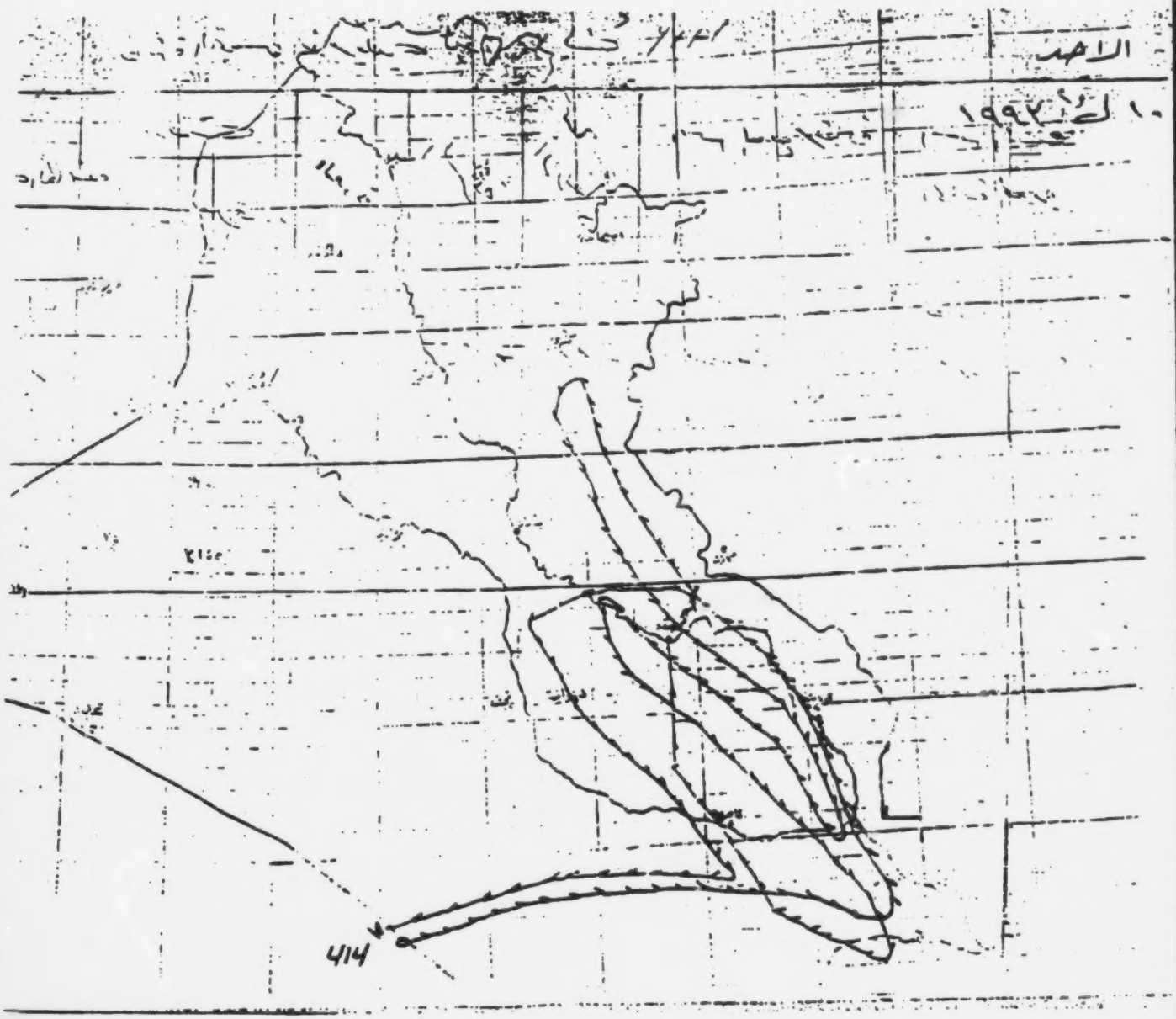
Similarly, the overflight by the aircraft on 5 April 1992 a few hours after the Iranian air raid on Iraqi territory brought confirmation of its espionage-related character inasmuch as its overflight for that day centred on the Iraq-Iran border area.

The aircraft's most recent violation of Iraq's airspace, on 10 January 1993, brings with it new proof of its hostile intelligence-gathering function, since the overflight was restricted to the southern area of Iraq on which the United States is enforcing an unlawful aerial exclusion that Iraq does not recognize. We are transmitting herewith a map of the route taken by this aircraft during its most recent violation, which clearly shows that its function on this flight along and to the south of the 32nd parallel was nothing other than observation and reconnaissance in full coordination with the warplanes of the United States fleets flying combat patrols in southern Iraq in violation of Iraq's sovereignty and territorial integrity, in breach of international law and in a manner that has no connection with the mandate of the Special Commission as set forth in Security Council resolution 687 (1991).

Such activities confirm that the aircraft in question is purely and simply a United States spy-plane and not a United Nations aircraft. Its overflights in Iraq's airspace in these circumstances create a technical dilemma. We therefore hope that you will exert your best endeavours for a halt to the activities of the aircraft in Iraq's airspace in present circumstances until the situation becomes clear.

(Signed) Hamid Yusuf HAMMADI
Acting Minister for Foreign Affairs
of the Republic of Iraq

Enclosure
Route taken by the United States U-2 aircraft on Sunday, 10 January 1993



UNITED NATIONS

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Security Council

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GENERAL

S/25094
12 January 1993

ORIGINAL: ENGLISH

LETTER DATED 11 JANUARY 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with the provisions of paragraph 5 of Security Council resolution 771 (1992) and paragraph 1 of resolution 780 (1992), I have the honour to draw your attention to some additional information that has become available concerning war crimes in the territory of the former Yugoslavia.

In accordance with official records of the Information and Research Department of the Ministry of Health of the Republic of Croatia (dated 4 January 1993), there have been 23,062 citizens of the Republic of Croatia wounded and 6,442 killed. There have been 6,762 civilians wounded (417 children, 3 priests and 27 physicians) and 2,181 civilians killed (75 children, 2 priests and 5 physicians) - the remaining victims are members of the defence forces of Croatia. I have to point out the unusually high share of civilian casualties - about one third. The data available account only for victims that have been treated in hospitals and/or have been positively established by Croatian authorities. However, the following data represent a conservative estimate that clearly shows that the share of civilians in the total number of victims of war in Croatia is undoubtedly much higher.

Based on a considerable number of testimonies of eyewitnesses who have survived massacres, it is estimated that at least 1,000 Croatian civilians (mostly people over 60 years of age) have been massacred, summarily executed or brutally killed by Serbian paramilitary forces in temporarily occupied Western and Eastern Slavonia, excluding Vukovar, Banija, Kordun, Lika and Dalmacija.

There are at least 1,851 Croatian citizens who have been identified as killed in Vukovar. One has to take into account that there are still 2,600 persons who have been missing since the fall of the city to the occupation forces (out of which 303 persons disappeared directly from the hospital: 18 employees, 25 auxiliary medical staff, 60 civilians and 200 wounded). Since there is reason to believe that the majority of them have been killed, the total number of victims in Vukovar can be estimated at 4,500 to 5,000 persons, 70 per cent of them civilians.

According to the lists of missing persons kept by the Croatian Red Cross, there are 13,788 persons still missing (416 of them children).

In accordance with the criteria set forth by the World Health Organization, 2,091 disabled persons have been registered so far in Croatia, 670 of those civilians and 1,421 members of defence forces. A certain number of disabled persons have in addition been registered, but have not yet been classified according to the criteria.

During the war, and until 3 December 1992, 5,261 persons from Serbian concentration camps and POW camps have been exchanged (3,766 are citizens of Vukovar). According to the results of the medical examinations done upon release, approximately 90 per cent of them have been victims of violence and maltreatment during incarceration. There is complete medical documentation in 20 cases of sexual violence, and an additional 80 cases are presently under investigation.

Until 6 December 1992, 268,526 persons within the borders of Croatia have been registered as displaced, and 426,852 coming from the Republic of Bosnia and Herzegovina have been granted refugee status. The total number of displaced persons and refugees is 695,378.

I would kindly ask your assistance in distributing this letter as a document of the Security Council.

(Signed) Vladimir DROBNJAK
Chargé d'affaires a.i.

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Distr.
GENERAL

S/25095
12 January 1993

ORIGINAL: ENGLISH

LETTER DATED 12 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter dated 11 instant (S/25090), I have the honour to enclose herewith, for your attention, a third message from His Excellency, Mr. Ali Ahmed Sahloul, Minister of Foreign Affairs of the Republic of the Sudan, No. MFA/EO/1/1/16 dated 11 instant, concerning the border dispute between the Sudan and Egypt.

I would be grateful if you could have this message circulated as a document of the Security Council.

(Signed) Ahmed SULIMAN
Permanent Representative

Annex

[Original: Arabic]

Letter dated 11 January 1993 from the Minister for Foreign Affairs of the Sudan addressed to the President of the Security Council

I wish to refer to the letter dated 3 January 1993 from the Minister for Foreign Affairs of the Arab Republic of Egypt addressed to you, following our note to you dated 27 December 1992.

That letter comprises six major points, in addition to a three-paragraph introduction and a conclusion. We wish to comment on its contents as follows:

I. The Minister for Foreign Affairs of the Arab Republic of Egypt cites "allegations aimed at prejudicing Egypt's sovereignty over its territory". Perhaps the contents of our letter addressed to you on 7 January and the details that it provided suffice to refute the Egyptian assertion. We do not doubt that all Members of the United Nations are aware that the Sudan has no need to have designs on what the Egyptian Minister's letter claims is Egyptian territory. However, as you know, the issue is one of truth and not one of need. Accordingly, we shall defend our cause by all political and legal means. With regard to the concern of the Government and people of Egypt for the historic relations that link the peoples of Egypt and the Sudan, the actions of the Government of Egypt in Halayib governorate are not in line with this theme. The truth is that the Sudan is the one that, over the years, has been concerned to preserve the close ties that link the two peoples of the Nile Valley in the Sudan and Egypt. Perhaps the most eloquent proof of what we say is the fact that the Sudan reported in detail all the violations committed by the Government of Egypt in the Sudanese governorate of Halayib since the beginning of 1991 in our letter dated 7 January 1993. This is patience that is due, first and last, to the Sudan's concern that Egypt should be alerted to the consequences of its violations of Sudanese territory and its grave impact on the historic relations which link the peoples of the Sudan and Egypt and about which Egypt now claims to be concerned.

The Sudan greatly prizes Sudanese-Egyptian relations on grounds of history, geography and common interest, but the actions taken by the Egyptian Government inside Sudanese territory recently are a blatant violation of the sovereignty of the Sudan and a clear breach of the fundamental principles of the United Nations, international law and international legitimacy. All these notwithstanding, the Sudan has, at this stage, been satisfied with taking the one specific step of informing you and the esteemed members of the Security Council of the grave developments that threaten peace and security in the area, in order that you might make the necessary efforts to ensure the immediate withdrawal of the military and civilian Egyptian forces from Halayib governorate and restore the situation there to its former state, as well as circulating our note to all States Members of the international Organization

in view of their concern for the principles of the Charter and the sovereignty of law. On this understanding, the Sudan thus affirms its respect and esteem for the historic ties between the Sudan and Egypt within the framework of total respect for rights and obligations in accordance with the norms, principles and provisions of international law.

The letter of the Egyptian Minister for Foreign Affairs claims in the second paragraph of its introductory part that "the Sudanese Government has, in recent times, persisted in stirring up a number of problems for non-objective ends that are at variance with the nature of the relations that link the two fraternal peoples ... in ways that might be interpreted as the exploitation beyond reasonable measure of the feelings of brotherhood and friendship harboured by the Egyptian people for the fraternal Sudanese peoples". Since the letter of the Egyptian Minister for Foreign Affairs did not specify for the international Organization the problems that it referred to - and did not mention one single problem - the Sudan does not believe that there are any grounds for responding to such unfounded allegations. Our comment on the second paragraph of the letter of the Egyptian Minister for Foreign Affairs applies equally to the third paragraph of the introductory portion, as a report of something that we accept and acknowledge. That is what prompted us to refer the matter to you and the States Members of the international Organization.

II. This is what is stated in the introductory part of the letter of the Minister for Foreign Affairs of Egypt. Turning to the six main points contained in the body of the letter, we should note that most of them are of a mainly legal character, which quite clearly confirms the reiterated view of the Sudan that the dispute over the boundary between the two countries is a legal dispute and not a political one. Consequently, it should - indeed must - be dealt with by the legal means proper to the settlement of international disputes, beginning with negotiations and ending with arbitration or an appearance before the International Court of Justice.

The elementary principles of the legal treatment of any border dispute impose on the two parties at dispute the duty to respect the status quo at the time when the dispute arose. However, it is an established fact that Egypt, by the military and civilian measures it has taken in Halayib governorate, has disregarded and disavowed the elementary principles of legal treatment of the question, as we have explained in detail in our note to you dated 6 January. We are revealing no secret when we say that the military and civilian measures taken by Egypt inside the Sudanese border may be in line with some of its positions. We noted that, since Egypt raised the boundary question again after keeping silent about it for many years, it has rejected any suggestion on the part of the Sudan that it was essential to settle the dispute by arbitration or before the International Court of Justice, should the two parties fail to resolve it through negotiations. In view of this fact, which Egypt disregarded because of the military and civilian measures that it had taken inside the Sudan's border and on account of its lack of commitment to legal treatment of the question, the Sudan had no course but to resort to the Security Council as the organ entrusted with the maintenance of international

peace and security in the United Nations, as we saw it at this stage. The Sudan also has no course but to reply to and comment briefly on the points contained in the letter of the Egyptian Minister for Foreign Affairs because we fully realize that the Security Council is not the competent organ for the presentation of legal arguments. That task was assigned by the United Nations Charter to the International Court of Justice. In this context, the Sudan reaffirms its wish to deal with the border dispute existing between the two countries by judicial legal means (the International Court of Justice) or by quasi-judicial legal means (international arbitration) provided for in the United Nations Charter. The Sudan hopes that Egypt will announce clearly its consent to such procedure provided that it considers that it has a legal claim.

III. The Sudan agrees with the text of article I of the Agreement of 1899, set forth in the first of the six Egypt points, but it disagrees totally with the qualification of the text as clearly demarcating the Sudan's northern "international" boundary with Egypt, as Egypt asserts. The text did not use the word "boundary". Indeed, the word "boundary" did not occur anywhere in the above-mentioned Agreement. Obviously, that was not without meaning, for the words "international boundary" were not applied at that time. Egypt was not a State but an Ottoman vilayet, on the one hand, and a de facto British protectorate, on the other, while the legal status of the Sudan was also unclear. To be brief, the 22nd parallel of latitude was an arbitrary line in the context of the conditions that imposed it and subsequent behaviour. Moreover, the Agreement of January 1899 was concluded for one basic purpose, namely the future administration of the Sudan, as its title indicates. Egypt claims under this point that "this Agreement has to this date remained the sole international document that defines the international boundary between the Sudan and Egypt. The Agreement has not been amended, except by the Supplementary Agreement on the status of the port of Suakin". This claim is easily refuted, because the Agreement, as we have said, does not speak of an "international boundary" but states that the 22nd parallel too is merely an administrative boundary, and the Sudan therefore agrees that it represents a fundamental legal "basis" in any legal treatment of the boundary dispute between the two countries, as well as representing one stage in the development of the Egyptian-Sudanese border towards the later stage of an international border. There are many international instruments relating to the Sudan's boundary with Egypt, including Egypt's acknowledgement of Sudanese independence without any reservation on its part. There are the documents of the International Commission that oversaw the holding of the first democratic elections in the Sudan in 1953. It is an established fact that the provisions of this Agreement were amended and that the amendment, as we shall see later, was confirmed. Because of all this, the claim that the 1899 Agreement is the "sole international" instrument that defines the boundary between Egypt and the Sudan is impermissible.

IV. The second point in the letter of the Minister for Foreign Affairs for Egypt deals with the administrative changes made to the 22nd parallel in March 1899 and November 1902, which were approved by the Egyptian Minister of the Interior at that time, who issued them in executive decrees. Egypt wanted to reduce the significance of those two adjustments, but that was a surprise

for the Sudan, because the two above-mentioned changes actually constitute the essence of the current legal dispute about the boundary, inasmuch as they were the first building-blocks in the boundary that was consecrated by time in a way that obliged Egypt to accept it without contestation in many legal instances, which make it incumbent on Egypt to express any challenge if it believes that it is entitled to do so.

V. Under its third point, Egypt claims that it has exercised its "sovereignty" uninterruptedly over the administrative area north of the 22nd parallel from the signing of the 1899 Agreement up to the present and that this exercise of sovereignty has assumed numerous forms, principally the following:

1. "An Egyptian security and administrative presence in the area in all forms". This is merely an allegation. The fact is that Egypt had no security or administrative presence in Halayib governorate until 1958, the date on which Egypt stirred up a dispute over the boundary for the first time. It then remained silent about it for nearly 30 years until it recently raised the matter again. If there was an Egyptian security and administrative presence, it was that established following the 1967 war, which consisted of Egyptian observer posts to spot low-flying Israeli aircraft, which the Sudan agreed to on the basis of its national commitment, so that Egypt should not be taken by surprise from the direction of the Red Sea. It is amazing that Egypt should regard the facilities accorded to it by the Sudan as an indication of the exercise of its sovereignty over Sudanese territory.

2. "Egypt's responsibility for granting concessions for drilling for minerals in the above-mentioned area, in addition to Egypt's engagement in mining activities in the area from 1915 up to the present". Although Egypt was influential in mining in part of the area, that was due to the fact that the Sudan did not have the organization and related skills for such activity, to be precise. However, the position has changed completely with the change of circumstances.

3. "The official maps of Egypt, from the signature of the Agreement up to the present, show that the 22nd parallel represents the international boundary line between Egypt and the Sudan", according to the letter of the Egyptian Minister for Foreign Affairs. It is self-evident that this Egyptian assertion signifies nothing more than a legal viewpoint regarding the dispute about Halayib governorate. In any case, Egypt's basis on this point lacks credibility and accuracy. The official maps of Egypt since the signature of the 1899 Agreement do not confirm that the 22nd parallel represents the international boundary between Egypt and the Sudan. Egyptian maps since 1899 indicate otherwise. They show both the "political boundary" and the "administrative boundary". It is self-evident that the "political boundary", which is a geographical term and not a legal one, does not necessarily mean "international boundary". What, I wonder, would Egypt say about the official Sudanese maps that continue to show what Egyptian maps regard as the "administrative boundary" as being the "international boundary" between the Sudan and Egypt? It is true that maps, from the legal viewpoint, can be

evidence of topographical incidents or evidence backing or supporting territorial claims. The important question is what kind of map can serve such purposes?

VI. The fourth point in the letter of the Egyptian Minister for Foreign Affairs asserts that "the Sudan provoked the first crisis concerning the Egyptian-Sudanese boundary in 1958" and that Egypt postponed discussion of the problem referred by the Sudan to the Security Council, following the undertaking by the Sudan not to take participation of the Sudanese population of the area in the Sudanese elections of 1958 as evidence confirming its sovereignty over those areas. The fourth point also alleges that "Egypt did not withdraw any forces from this area" in 1958. All these assertions are a factual issue. Although the Security Council is not the appropriate forum for going into the details, the Sudan will, at this stage, be satisfied with a reference back to the text of the statement issued by Egypt and read out by its representative before the Security Council in 1958.

VII. The fifth point in the letter of the Egyptian Minister for Foreign Affairs deals with the meetings of the Sudanese-Egyptian Joint Commission on the boundary dispute. It claims that Egypt was surprised by the Sudanese Government's submission of a note to the President of the Security Council, while awaiting the third meeting of the Commission, scheduled to be held at Khartoum in January 1993. It also claimed that the Sudan's action is a pretext for ceasing participation in the work of the Joint Commission aimed at settling differences directly and by friendly means. Everything under this point is no more than sophistries. It is true that the third meeting of the Commission was scheduled to be held in January at Khartoum, but would it have been logical to hold this meeting following Egypt's occupation of sites inside the Sudanese boundary two weeks after the end of the second meeting of the Commission, held at Cairo. It was Egypt that blasted the third meeting of the Commission, having violated the first clause of the decisions of the second meeting, namely, respect for the current boundary situation.

VIII. The sixth point in the note of the Egyptian Minister for Foreign Affairs states that the reference in the note of the Minister for Foreign Affairs of the Sudan to "blatant aggression committed by the Egyptian forces that infiltrated ... on 9 December 1992", as contained in our above-mentioned note to you, is unacceptable, on the grounds that "never, at any time, has there been an Egyptian presence in Sudanese territory south of the 22nd parallel" and that "the Sudan's allegations that Halayib governorate is Sudanese territory rests on no legal, historical or factual basis". It is self-evident that such misrepresentation is impermissible in the administration of international relations. What is established is that Egyptian forces recently penetrated into the territory of Halayib governorate, which is located north of the 22nd parallel, and that this is the territory that is the subject of the boundary dispute existing between the Sudan and Egypt. Does Egypt's occupation of the disputed territory with military forces constitute anything other than blatant aggression that is by all criteria a threat to international peace and security in the area? We have seen fit to revert specifically to the contents of the letter of the Egyptian Minister for

Foreign Affairs addressed to you on 3 January 1993. As we have proven, the Egyptian note is full of sophistries and contradictions. Perhaps the best illustration of this is what it states about the meetings of the Commission on the boundary dispute. Moreover, it confirms the presence of a boundary dispute in many of its paragraphs and then concludes by stating that the Egyptian military penetration into the disputed area "is a natural thing in the same category as Egypt's exercise of its sovereignty over its territory". It is truly strange that the Egyptian Minister for Foreign Affairs concludes his letter by the statement: "Egypt's position has been and remains to affirm the necessity of discussing any difference with the Sudan within the framework of full commitment to the provisions and principles of international law and of the covenants and agreements endorsed by the two parties."

The Sudan knows well that legal debate has its place in organs and mechanisms other than the Security Council, and we have therefore not wished to present our legal arguments beyond the extent necessary to reply to all the Egyptian statements. Of course, we have not presented the evidence on which we base our case, because of our full conviction that the boundary dispute existing between the Sudan and Egypt is a legal dispute. The two States will not be able to deal with it before the withdrawal of the Egyptian military and civilian forces from Halayib governorate and the restoration of the situation to its former state. We have great confidence that you will make the necessary efforts to ensure the achievement of this objective.

Once again, I take this opportunity to convey to you the assurances of my highest consideration with a request that you have this letter circulated to the esteemed members of the Security Council and also to the States Members of the international Organization.

(Signed) Ali Ahmed SAHLOUL
Minister for Foreign Affairs
of the Republic of the Sudan

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GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30 and 143
QUESTION OF PALESTINE
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 12 January 1993 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the Secretary-General

As the representative of the country that has the current chairmanship of the Summit of the Organization of the Islamic Conference, I have the honour to address to you herewith a copy of the Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees, held in Dakar, Senegal, on 11 January 1993 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda items 30 and 143, and of the Security Council.

(Signed) Mame Balla SY
Chargé d'affaires a.i.

ANNEX

Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees held in Dakar, Senegal

(18 Rajab 1413H, 11 January 1993)

1. At the kind invitation of His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Organization of the Islamic Conference, the Bureau of the Sixth Islamic Summit enlarged to the Chairmen of the Standing Committees met in Dakar, Republic of Senegal, on 18 Rajab 1413H, corresponding to 11 January 1993.

2. The Meeting was attended by the following member States of the Bureau and those chairing the Standing Committees: Republic of Indonesia, Republic of Senegal, Syrian Arab Republic, State of Palestine, State of Kuwait, Kingdom of Morocco, Islamic Republic of Pakistan, Republic of Turkey.

3. The Kingdom of Saudi Arabia, as Chairman of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, attended the Meeting.

4. His Excellency Alija Izetbegović, President of the Republic of Bosnia and Herzegovina, also attended the Meeting.

5. The Meeting considered the question of the banished Palestinians, the tragic situation in Bosnia and Herzegovina and the question of the destruction of the Babri Mosque.

6. The Meeting examined the odious crime committed by the Israeli Government in implementing its policy of massive banishment and by banishing over 400 Palestinian citizens from their occupied homeland, and its dangerous effects on the cause of Palestine and Al-Quds Al-Sharif. It strongly condemned the Israeli Government's decision to banish Palestinian citizens from their homeland and considered it as a flagrant violation of the principles of human rights and all international conventions and agreements, and in particular the Fourth Geneva Convention of 1949, as well as a violation of the sovereignty of Lebanon and the unity and security of its territories and a threat to the international peace and security and the continuation of the Middle East peace talks.

7. In this context, it strongly condemned Israel for having announced its refusal to implement Security Council resolution 799 (1992), thus violating Article 26 of the Charter of the United Nations, a fact which demands the application on Israel of Chapter VII of the Charter for having refused to implement this resolution as well as other international resolutions.

8. It underlined that the Israeli Government bears exclusive and direct responsibility for the tragic living conditions endured by those banished and

that it must be forced to allow international and humanitarian organizations to channel the necessary medical and food supplies to them until their return.

9. It considered that the serious escalation of Israeli inhuman aggression against the Palestinian people in the occupied Palestinian territories makes it incumbent upon the international community to provide the necessary means of pressure to force Israel to bring back all those Palestinians and to put an end to its oppressive practices against the Palestinian citizens in the occupied Palestinian territories. The international community should also adopt the necessary measures to provide appropriate protection to the Palestinian people in the occupied territories and to place the latter under interim international supervision pursuant to international resolutions, in particular Security Council resolutions 605 (1987), 607 (1988), 681 (1990) and 726 (1992).

10. It hailed the blessed Palestinian intifadah in the occupied Palestinian territories and expressed its full solidarity and support to the Palestinian people in their legitimate struggle for the recovery of their inalienable national rights, and reiterated that the issue of Al-Quds Al-Sharif and Palestine constitute the central and foremost issue of the Islamic Ummah, and the core of the Arab-Israeli conflict, and that a comprehensive and just peace in the Middle East can only be achieved through the complete Israeli withdrawal from all occupied Palestinian and Arab territories, including Al-Quds Al-Sharif, the Syrian Golan, South Lebanon and the Jordanian territories and through enabling Palestinian people to exercise their inalienable and imprescriptible national rights, including their right to return, to self-determination and to the establishment of their own independent Palestine State with its capital Al-Quds Al-Sharif, under the leadership of their sole legitimate representative, the Palestine Liberation Organization.

11. It expressed its concurrence with and support to the efforts under way for achieving a comprehensive and equitable solution to the issue of Palestine and the Arab-Israeli conflict, in accordance with the international resolutions and in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and the formula of land for peace and the national political rights of the Palestinian people and the settlement of the issue of the Palestinian refugees pursuant to the United Nations resolutions and in particular General Assembly resolution 194 and Security Council resolution 237 (1967).

12. It reiterated that the city of Al-Quds Al-Sharif forms an integral part of the Palestinian territories occupied in 1967 and that it is subject to all that is applicable to these territories, in accordance with international resolutions and that it cannot in any way be excluded from the current peace talks.

13. It reaffirmed that that all measures and arrangements taken by Israel to annex the city of Al-Quds Al-Sharif and the Syrian Golan and to impose Israeli law there are null and void, in accordance with Security Council resolutions 465 (1980), 478 (1980) and 497 (1981).

14. It considered all the Israeli settlements established in the occupied Palestinian and Arab territories as illegal and contrary to international resolutions, notably Security Council resolution 465 (1980), and that necessary international guarantees should be provided to ensure their removal. It called upon the international community to exercise necessary pressure to force Israel to discontinue settlements in the occupied Arab and Palestinian territories, including Al-Quds Al-Sharif, and considered that the establishment and expansion of settlements and the settlement of Jewish immigrants there constitutes a major obstacle in the way of the achievement of peace.

15. It expressed its appreciation for all States, people, international and regional organizations, as well as the Vatican, which have condemned the mass banishment policy practised by Israel against the Palestinian people and requested them to continue to extend all forms of support to the just struggle of the Palestinian people.

16. It mandated His Excellency Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the member States of the Security Council, the United Nations Secretary-General and the Chairman of the European Community so that the Security Council may ensure without any delay the implementation of its resolution 799 (1992) guaranteeing the immediate and safe return of the banished Palestinians to their homes, and the imposition of mandatory and comprehensive sanctions in accordance with the provisions of Chapter VII of the Charter of the United Nations.

17. The Meeting strongly condemned the continuing Serbian aggression against the Republic of Bosnia and Herzegovina and the genocidal campaign of ethnic cleansing being perpetrated against the Muslims. It held the Serb leadership both in Belgrade and its local accomplices in Bosnia and Herzegovina fully responsible and accountable for the mass killings, torture, rape and other war crimes and crimes against humanity brutally committed against the defenseless Muslims and Croats in Bosnia and Herzegovina.

18. It reaffirmed the provisions of resolution 1/5-EX and 1/6-EX, adopted by the fifth and sixth extraordinary sessions of the Islamic Conference of Foreign Ministers, held at Istanbul and Jeddah, respectively, and expressed its full support and solidarity with the Government and people of Bosnia and Herzegovina in their just struggle for safeguarding the sovereignty, independence and territorial integrity of their country.

19. It also recalled all the relevant United Nations Security Council and General Assembly resolutions, as well as the London provisions, pertaining to Bosnia and Herzegovina and former Yugoslavia and emphasized the urgent need for their immediate and full implementation.

20. It strongly condemned the cold-blooded murder by the Serb para-military forces of the Deputy Prime Minister of Bosnia and Herzegovina, while under UNPROFOR protection, which further aggravates the serious situation in

Sarajevo, and considered this crime as a grave affront to the United Nations and a further example of the Serb defiance of the will of the international community.

21. It expressed its deep concern over the fact that the political process instituted under the aegis of the International Conference on former Yugoslavia has had no serious impact on the situation in Bosnia and Herzegovina, which has become unbearable and that the Serbs have attempted to utilize this process to gain legitimacy for their territorial acquisitions and to prevent the Security Council from authorizing the use of force to secure the implementation of its relevant resolutions. It emphasized that the Security Council, which has the primary responsibility for the maintenance of international peace and security, should be enabled to assume fully its responsibility towards the safeguarding of the sovereignty, independence and territorial integrity of the Republic of Bosnia and Herzegovina against Serbian aggression.

22. It fully shared the concerns of the Bosnian Government regarding the map presented during the Geneva talks and strongly believed that the map in question, which divides Bosnia and Herzegovina into zones based on the "de facto" situation on the ground, should be re-drawn without taking into consideration the policy of "ethnic cleansing".

23. It condemned the Serbian refusal to place its heavy weaponry under effective international control and the continuous use of it against innocent people and demanded that the Serbs should be notified to place the heavy weaponry in their possession under the effective international control as decided by the London Conference. If international control cannot be established, then the heavy weaponry should be silenced by military means and further military action against strategic targets should be considered. It expressed its support to the Bosnian Government's stance on the establishment of an effective international control of heavy weapons in Bosnia and Herzegovina, as agreed at the London Conference, and welcomed and appreciated the Bosnian Government's readiness to comply with it.

24. In view of the continuing intransigence of the Serbian aggressor, the Meeting called for the enforcement of the no-fly zone over Bosnia and Herzegovina.

25. It also stressed the need for the perpetrators of the crimes committed against humanity to be determined and tried. It called for immediate establishment of an international tribunal for war crimes being committed in Bosnia and Herzegovina and former Yugoslavia. In this respect it underlined the need for urgent steps to be taken to secure an advisory opinion from the International Court of Justice as to whether the crimes committed in Bosnia and Herzegovina come within the scope of the Convention on the Prevention and Punishment of the Crime of Genocide.

26. It emphasized the need to increase significantly the humanitarian and financial assistance to the Bosnian people as harsh winter conditions make such assistance all the more necessary.

27. It mandated Mr. Abdou Diouf, President of the Republic of Senegal and Chairman of the Sixth Islamic Summit Conference, to undertake contacts at the highest level with the member States of the Security Council, the United Nations Secretary-General, the Chairman of the European Community and the Chairman of the Conference on Security and Cooperation in Europe in order to stress the need for taking urgent measures to implement the resolutions of the Security Council on Bosnia and Herzegovina, as well as the resolution of the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers, notably by authorizing action under Article 42 of the Charter of the United Nations and to exempt the Government of Bosnia and Herzegovina from the provisions of Security Council resolution 713 (1991) relating to the arms embargo imposed against former Yugoslavia, so as to enable the Republic of Bosnia and Herzegovina to exercise effectively its legitimate right to individual and collective self-defence in accordance with Article 51 of the Charter of the United Nations.

28. It instructed the Contact Group of the Organization of the Islamic Conference at the United Nations to seek an evaluation by the Security Council of the implementation of its resolutions concerning Bosnia and Herzegovina in accordance with resolution 1/6-EX adopted by the Sixth Extraordinary Session of the Islamic Conference of Foreign Ministers and resolution 47/121 adopted by the United Nations General Assembly, bearing in mind that the aforementioned resolutions call for such an evaluation by 15 January 1993 and for consideration of further measures to oblige the Serbians to comply fully with the relevant resolutions of the Security Council and the decisions of the London Conference.

29. It recommended that President Abdou Diouf, the current Chairman of the Islamic Summit, undertake consultations for the convention of an extraordinary session of the Islamic Summit.

30. The Meeting strongly condemned the destruction by Hindu militants of the Babri Mosque in India, which was an ancient Islamic place of worship. It also regretted the loss of thousands of human lives.

31. It recalled the provisions of the Declaration on Joint Islamic Action to Combat Blasphemy Against Islam adopted by the 18th Islamic Conference of Foreign Ministers and called upon the Islamic countries individually and collectively to exert effective and coordinated efforts to ensure respect for Islam and its noble values throughout the world and to protect and safeguard the Islamic Muqaddesat (the Sacred Book, personalities and places).

32. After having noted with interest the announcement by the Indian Government of its commitment to rebuild the Babri Mosque, the Islamic world has been suprised by the authorization given immediately after this announcement to the Hindu fundamentalists to perform their religious rites on the site of the Mosque that they destroyed. Reflecting the resentment of the Muslims, the Meeting called upon the Government of India to honour its pledge to rebuild the Mosque without further delay on its original site. It further urged the Government of India to take effective measures to protect the human

rights of the Muslims of India, particularly their religious and cultural rights as well as their Mosques and holy places.

33. At the end of their deliberations the participants expressed their profound thanks and appreciation to President Abdou Diouf and to the Government and people of the Republic of Senegal for the warm and fraternal welcome and generous hospitality extended to them.

34. President Abdou Diouf expressed his deep gratitude to the participants for the true spirit of understanding and cooperation which they demonstrated during the deliberations and which contributed immensely to the success of the Meeting.

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LETTER DATED 12 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 12 January 1993 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the statement made on behalf of the Security Council on 11 January 1993.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

93-01987 3736h (E) 130193 130193 130193

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Annex

Letter dated 12 January 1993 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

Iraq expresses its deep regret at the statement issued yesterday by the Security Council, lacking as it is in objectivity.

In past days, it has been very clear that the United States Administration and its particular associate the United Kingdom have been trying to stack the cards. It became evident to the world that the United States had falsely claimed that the decision to impose an aerial exclusion zone south of the 32nd parallel in Iraq had been taken by the United Nations and that it had been no more than a unilateral decision violating Iraq's sovereignty and aiming at interference in its internal affairs and at its partition. It having also become clear that the two were seeking to launch a new aggression against Iraq because it was exercising its natural right to sovereignty over its territory and its airspace, there were artificial and frenzied attempts to distort the situation and stack the cards for the purpose of depicting the position of Iraq as that of attempting to flout the resolutions of the Security Council or to defy the Council as alleged.

Iraq has not flouted the resolutions of the Security Council, and it has no intention of defying the Council.

With regard to the property that it retrieved from Umm Qasr, it must be said that the items in question belong to Iraq and that there can be no disputing that fact. The retrieval was carried out in a peaceful and orderly manner, and the property does not include any item prohibited under resolution 687 (1991). The clamour surrounding the matter has been contrived and the situation systematically escalated by the United States and its allies, and fragmentary and alarming information has been provided to the Council with the objective indicated above.

With regard to our request for a halt to the use of foreign aircraft by the Special Commission, we stated in our letter to the Council of 9 January 1992 that it was a temporary request and stressed the earnestness of our request relating to the need to use Iraqi aircraft instead of the foreign aircraft that the Special Commission uses. We should like to clarify two aspects of this question:

1. Everyone knows that the United States and the United Kingdom are persisting in the threat to launch military aggression against Iraq. Should such aggression take place, Iraq would naturally respond in keeping with its right to legitimate self-defence. A situation of this kind might place the aircraft used by the United Nations in danger. The request that the operation of United Nations aircraft be suspended in these circumstances is therefore a logical one and emanates from a sense of responsibility. Iraq does not

understand why the matter has been handled by the Council in this manner despite the fact that it is abundantly clear and does not call for any of the uneasiness reflected in the Council's statement.

2. Iraq has not understood what the legal and logical principles on which the Council rejected the use of Iraqi aircraft could be. In the informal consultations held by the Council yesterday, a number of members raised questions concerning this matter and no clear answer to them was given. How can Iraq's request that its aircraft be used for United Nations purposes instead of foreign aircraft possibly be interpreted as defiance of the Council or th. flouting of its resolutions?

While expressing its deep regret at a type of treatment that has no basis in logic or fairness, Iraq affirms that it does not wish to have problems with the Security Council. It affirms its wish for dialogue with the Council and with all who so desire with a view to reaching mutual understanding based on justice, fairness and lawful rights. If, however, it is the intention of some to pursue a policy of imposition, coercion and the violation of rights and sovereignty, then Iraq shall not relinquish and shall not bargain with respect to matters affecting the defence of its sovereignty and its legitimate rights.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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LETTER DATED 11 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF TAJIKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that the Government of the Republic of Tajikistan is taking measures to restore peace and national harmony, ensure conditions for the return of refugees and displaced persons to their homes in dignity and safety, strengthen social and political stability and the rule of law, and protect the dignity and honour of all people without distinction as to race, ethnic origin, religious belief or place of residence and facilitate their speedy integration in State and public affairs.

The objective of the activities of the Government of Tajikistan in the international sphere is to ensure the security, integrity and political independence of Tajikistan and the unity of its people, and to establish friendly relations on an equal footing with all countries, first of all with neighbouring States.

Other priorities of Tajikistan's foreign policy include the establishment and strengthening of regional cooperation in the areas of trade and economy, science and technology, culture, humanitarian affairs and information, the establishment of a system of regional and collective security, and participation in all constructive international processes.

The civil conflict has caused immense material damage to Tajikistan and has damaged its morale. The painful consequences of that conflict will be felt by our people for years to come.

Tajikistan's economic recovery and return to normal life will require not only the concerted efforts of the Tajik people but also active aid and assistance from the United Nations, the Commonwealth of Independent States and other international and regional organizations.

We are sincerely grateful to you for the attention you have given to the problems of Tajikistan. On your behalf, two United Nations missions were sent

to our country; those missions helped to stabilize the situation in Tajikistan, and we are now awaiting the arrival of a group of United Nations observers with whom we promise to cooperate fully.

I have the honour to transmit to you a document prepared by the Government of Tajikistan containing an assessment of the economic and social damage caused by the civil conflict.

I should be grateful if you would circulate this letter and its annex as a document of the Security Council.

(Signed) Lakim K. KAYUMOV
Ambassador
Permanent Representative of
the Republic of Tajikistan
to the United Nations

Annex

Assessment by the Government of the Republic of Tajikistan of the economic and social damage caused by the civil conflict

The armed confrontation of various political groups in the country, which in 1992 lasted for more than 10 months, has led to the sharp decline of the economic situation in Tajikistan. As a result of the long blockade of railway lines and highways, the lack of fuel and lubricants and necessary material and technical resources, as well as a sharp rise in migration processes, Tajikistan's economy was practically paralysed, and overall economic damage amounts to more than 200 billion roubles.

Today, industrial production has declined by 23 per cent; during the last 10 months of 1992, there was a shortfall in deliveries of output valued at 4 billion roubles; that includes, in Kurgan-Tyube Oblast, a shortfall in output amounting to 1.5 billion roubles, in Dushanbe - 400 million roubles, and in Gissar District - 50 million roubles.

Between January and November 1992, the output of consumer goods fell by 24.5 per cent, light-industry goods fell by 14 per cent and foodstuffs by 27.5 per cent. The volume of production fell drastically in October and November 1992.

Light-industry enterprises were paralysed as a result of the non-delivery of artificial and synthetic threads and fibres, knitted and synthetic material, leather goods, glues, chemical dyes and auxiliary materials.

Production of cotton textiles fell by 39.4 per cent, hosiery by 26.1 per cent, footwear by 36 per cent, silk textiles by 6.2 per cent, furniture by 55.4 per cent, refrigerators by 54.9 per cent, meat by 59.3 per cent, whole-milk products by 37.5 per cent and vegetable oil by 33.7 per cent.

Tajikistan's light industry suffered substantial losses. As a result of destruction and fires, 130 million roubles are needed to replace the fixed assets of the Kurgan-Tyube cotton-spinning mill, 14 million roubles are needed for the Nurek sewing factory and 11 million roubles for the Kurgan-Tyube sewing factory.

Fires have destroyed 300 tons of cotton fibre, approximately 70 tons of cotton yarn, 6.5 million roubles worth of equipment, transformers and electric motors, 185 million roubles worth of transport vehicles, in addition to which material assets worth approximately 100 million roubles have been stolen.

In Dushanbe, property totalling 500 million roubles was stolen from various enterprises. The situation of the food industry is critical. The production of meat, fish, sausage and confectionery has declined more than twofold as compared to the same period in the previous year. The production

of margarine, mayonnaise and sour-milk products has virtually halted. During the last few months of 1992, in Dushanbe and Kurgan-Tyube alone, the shortfall in deliveries of basic foodstuffs amounted to 216 million roubles.

Tajikistan's transport industry has been seriously damaged.

In particular, more than 5,000 automobiles have been stolen or destroyed, 26 freight and passenger cars have been put out of service, and 184 railway freight containers have been destroyed or damaged. Preliminary data indicate that the overall damage to this branch amounts to approximately 4 billion roubles.

Tajikistan's agricultural complex has suffered irreplaceable losses. The overall damage resulting from a shortfall in agricultural production and the destruction of fixed assets amounts to approximately 291 billion roubles. Shortfalls have been recorded for practically all of Tajikistan's listed agricultural products. Thus, in 1992, only 53.7 per cent (440,000 tons) of the estimated volume of raw cotton was procured. Similarly, only 61.2 per cent (264.6 thousand tons) of the estimated cereal crop, and 55.6 per cent (79.7 thousand tons) of the potato crop, was procured.

In former Kurgan-Tyube Oblast, the poultry farming industry was virtually destroyed. According to preliminary estimates, damages to that industry exceed 41 million roubles. There was a sharp decline in head of cattle and small livestock, and no less than 1 billion roubles will be required to restore their number to the levels of early 1992.

Fighting among the various political groups has caused substantial damage to housing in Tajikistan.

It has been estimated that the overall area of destroyed houses is 608.6 thousand square metres. The total cost of the damage is 304.3 million roubles at book cost.

The greatest damage was caused in Kurgan-Tyube Oblast: 417 thousand square metres (208.5 million roubles). In Dushanbe, the damage was 75 thousand square metres (37.5 million roubles), in Kofarnikhon District - 20 thousand square metres (10 million roubles) and in Yavan District - 15 thousand square metres (7.5 million roubles).

The damage caused to Tajikistan's social sector will be difficult to repair. In the area of health care alone, damages exceed 2 billion roubles and, in the area of culture, damages amount to over 11 billion roubles. According to preliminary estimates, more than 5 billion roubles will be needed for construction, major repairs and the reconstruction of educational facilities destroyed in the fighting.

Military conflicts have aggravated the problem of human migration. Over 537,000 refugees have been officially registered in Tajikistan.

In Dushanbe alone there are more than 120,000 refugees and, according to preliminary estimates, material assistance to refugees will cost approximately 9 billion roubles.

The flow of refugees to other countries has increased.

In just nine months in 1992, approximately 70,000 people, 44,000 of whom were able-bodied workers, left the country. It is estimated that approximately 3 billion roubles will be needed to train personnel to replace those who left Tajikistan.

Because of the armed conflict, it is extremely difficult for Tajikistan to administer the State budget.

For the execution of the budget for January-November 1992, Tajikistan had at its disposal only 26.3 per cent of projected income. That reflects a shortfall of approximately 9 billion roubles for the one-year plan, which included projected income from value-added tax (1.2 billion roubles), excises (3.7 billion roubles), privatization of State property (2.6 billion roubles) and the revaluation of goods (1.9 billion roubles).

The stock of overdue debt on bank loans and mutual settlements between enterprises and economic organizations increased from 1.6 billion roubles at the beginning of 1992 to 12.4 billion roubles as at 1 November 1992; of that amount, 11 billion roubles resulted from the lack of funds in enterprises' accounts.

According to preliminary data, total income for 1992 will amount to 15.7 billion roubles (66.5 per cent), which represents a shortfall of approximately 8 billion roubles.

In December 1992, more than 15 billion roubles will be needed to finance vitally important measures alone; that amount includes compensation for disparities in grain prices (approximately 10 billion roubles) and payment of salaries (4 billion roubles), for which there is no source of funding.

According to the draft emergency budget for 1993, income for 1993 - provided the situation in the country stabilizes - is estimated at 37.1 billion roubles, which is 2.4 times greater than expected budget income for 1992; budgetary expenditure will amount to 62.7 billion roubles, which is 1.7 times greater than in 1992. It should be noted that this expenditure does not include resources for compensating disparities in grain prices (30 billion roubles) and for the construction of the Rogun hydroelectric power station (14 billion roubles); those resources will be obtained from additional sources of income, including foreign credit.

That is a short description of the social and economic situation that has evolved in Tajikistan as a result of the armed conflict. While the extent of the damage is still being assessed, it is obvious that Tajikistan is unable to rebuild its economy single-handedly, and it is relying on concrete international assistance and support.

The Government of Tajikistan appeals to the United Nations to provide assistance for the speedy reconstruction and recovery of its economic and social sectors, and to provide emergency humanitarian assistance to the people of Tajikistan, in particular in the form of food and medicine and the construction of housing for those who have been left homeless.

We appeal to international economic and financial institutions and donor countries to offer Tajikistan, to the extent possible, credits and loans on favourable terms, bearing in mind that Tajikistan is a least developed country and has suffered greatly from civil unrest.

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LETTER DATED 12 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Five months ago the Security Council adopted resolution 770 (1992), as the Council was "Dismayed by the continuation of conditions that impede the delivery of humanitarian supplies to destinations within Bosnia and Herzegovina and the consequent suffering of the people of that country,". Regretfully, numerous reports indicate that conditions remain unchanged. Mr. Jose-Maria Mendiluce, UNHCR's director of relief operations in Bosnia and Hersegovina, confirmed the reports yesterday. He was quoted as saying that he had received "very alarming reports of deaths from cold and starvation" from wide areas, particularly eastern Bosnia and Herzegovina.

Furthermore, pursuant to the said resolution, I wish to provide the attached report, from an independent source, New York Newsday of 11 January 1993, titled "Not Enough: UN Efforts for Bosnia Criticized", which raises serious concerns about UNPROFOR's ability and willingness to provide all measures necessary for delivery of humanitarian aid and warrants an urgent response from the Council.

With respect to the comments of Mr. Mendiluce, the attached report and the letter of a similar context, dated 30 December 1992, from the Director of the Office of Displaced Persons and Refugees of the Republic of Bosnia and Herzegovina (S/25029), and considering the operative paragraph 2 of the said resolution which "Calls upon States to take nationally or through regional agencies or arrangements all measures necessary to facilitate in coordination with the United Nations the delivery by relevant United Nations humanitarian organizations and others of humanitarian assistance to Sarajevo and wherever needed in other parts of Bosnia and Herzegovina;" we request that the Council issues a Presidential Statement:

- emphasizing the severity and urgency of the situation;

- requesting that UNPROFOR-participating States invoke fully resolution 770 (1992) in the delivery of humanitarian assistance;

- requesting that "air drops" of food, as requested by Mr. Mendiluce, commence immediately.

These steps are critical in saving the lives of hundreds of thousands of innocent civilians. They are the only steps that will effectively and immediately deter the source of failure of past humanitarian deliveries which UNHCR is courageously working to overcome.

May I ask for your kind assistance in distributing this letter and its attachment as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

Annex
Article in the New York Newsday of 11 January 1993

Not Enough

UN efforts for Bosnia criticized

By Roy Gutman
EUROPE CORRESPONDENT

Zagreb, Croatia — Despite western pledges to keep Bosnians alive this winter, up to 200,000 Muslims in isolated enclaves have gotten little or no food and medicine from UN agencies, according to a U.S. aid worker who spent 12 days in the besieged town of Gorazde.

Indeed, the international relief effort has failed in eastern Bosnia, and the population is surviving thanks only to self-organized pack trains of men, women, children and horses, said William Steubner, who works for the Office of Foreign Disaster Assistance.

"People would be absolutely starving if they had to depend on [UN] aid deliveries," he told New York Newsday yesterday. In Gorazde, which has a population of 70,000, and Srebrenica with 70,000 to 80,000, "they have not gotten enough aid," while in Zepa, the third Muslim enclave, with about 35,000 people, "they have gotten nothing."

Steubner was the first westerner to reach Gorazde since August, when Muslim forces broke the four-month Serbian siege. He went in with a pack train of 150 horses and 300 people Dec. 18. Moving in pitch darkness and subzero weather, the convoy covered 30 miles of narrow trails across mud, snow and ice in 15 hours. Each horse carried up to 440 pounds of cargo and each human between 50 and 85 pounds. Women and boys as young as 12 carried the supplies, he said. On four occasions, the entire convoy had to backtrack and change routes when the leader, a local elementary school principal named Hasan Turcilo, spotted mines ahead.

Steubner concluded from his 12-day stay that Gorazde's population of 70,000 might make it through the winter chiefly because its ill-equipped military force managed to push back the Serb forces and create a sizable pocket under its own control.

UN food and medicine deliveries are at best a "pittance" that supplements the self-help effort, Steubner said. The town's records showed that from summer to mid-December, the UN had delivered 7.7 pounds of flour per capita, two pints of oil, one pound of beans, one pound of sugar, and two bars of soap.

The UN High Commissioner for Refugees says it sent in seven convoys from Belgrade since mid-November. Each contained about 100 tons of supplies. Steubner said the town's meticulous records showed a far smaller quantity arrived. "Either they are faking the whole thing, or it's [the aid] all being diverted and no one's telling them."

As serious as Gorazde's plight is, Steubner met couriers who told of far worse conditions elsewhere, the most perilous being Zepa on the border of western Serbia.

Last Thursday, a ham radio operator in Zepa sent out a dramatic SOS. "About 5,000 citizens of Zepa and 30,000 refugees now face complete destruction. Every day, there is shelling the entire day from all kinds of weapons. In the last two days, 40 persons died of hunger, mostly children," said the message, monitored in Zagreb by officials of the Muslim charity Merhamet.

The ham operator, Fadil Heljic, said, moreover, this might be his last appeal, because his radio's batteries were all but dead. The appeal is only the latest. Steubner said he heard from couriers that parents in Zepa have been forced to choose which of their children to abandon in order that the others might live. And Sevko Omerbasic, the head of the Muslim community in Croatia, said last week that food is in such short supply in Zepa "that they kill each other for a piece of fruit."

Zepa, situated on a mountain plateau near the border with Serbia, has been surrounded by Serb forces since February and has not received any supplies since then. The UN High Commission for Refugees had planned to send a convoy the day that message arrived. Officials in Belgrade at the last minute changed their plans and decided to send the supplies to another enclave, Cerska.

But Bosnian Serb officials in Belgrade "suggest strongly we not try [to reach either town] for reasons of our own security," said Lindall Sachs, a spokeswoman. She said the UN agency canceled the convoy and rescheduled it for Jan. 14, next Thursday. But another UN agency official said it had been postponed indefinitely.

"We've heard fairly dramatic reports about children dying of starvation and cold in Zepa," Sachs said. "But we have limited trucking capacity and we cover a very wide area. We have very urgent public concerns for Sarajevo. If we don't succeed there, the world will scream blue murder."

Sarajevo radio said yesterday that nearly 200 people had died of cold and hunger in five mainly Muslim pockets of eastern Bosnia the 24 hours up to noon yesterday. The statement was based on ham radio reports from Zepa, Srebrenica, Cerska, Konjevic Polje and Kamenica.

Steubner, 44, is a retired 20-year Army veteran whose last foreign assignment, from 1987 to 1990, was as a military aide at the U.S. Embassy in El Salvador. He said he got a warm welcome when he arrived in Gorazde.

The downtown was "decimated," he said. The main hotel and a sports center were completely destroyed, and the city hospital "looks like a piece of Swiss cheese." "They really hit the hospital a lot," he said. Most was direct fire, from a hill above the city.

Official city records showed that 2,500 people were killed during the siege, and 10,000 badly wounded. About 85 percent of the injuries were sustained by civilians, 70 percent of them caused by incoming artillery. Safet Cibo, the only surgeon at Gorazde hospital, told Steubner that he had performed 256 major operations in the past three months — for much of the

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Food is in such short supply in Zepa 'that they kill each other for a piece of fruit.'

time without anesthesia.

Based on extensive talks with town officials and examination of their records and his own observations, Steubner concluded the average resident had lost 33 pounds in weight. A hospital obstetrician told him proudly he had delivered 300 babies and lost only two since summer, but that birthweight is down to 5.6 pounds from an average of 7.5 pounds. Babies near a year old weigh on average only 11 pounds, and infant mortality in the first year has reached a staggering 20 percent. He said mothers cannot nurse due to malnutrition, and they can obtain milk only from a farmer's market, where a quart costs $3 in hard currency. "They are desperate for baby food, powdered milk and milk bottles. And they begged for contraceptive pills because the doctors there hate to perform abortions," Steubner said. Gorazde is also desperately short of medicine, he said.

But through exceptionally good organization and with the help of human and packhorse convoys, which now run three times a week but will shortly increase to every day, it has survived. But even that supply line is now threatened because ice and snow have made the journey far more perilous and the packhorses are dying because they cannot be properly fed. On Steubner's trip out Jan. 29, four of the nine horses died of exhaustion or injury from slipping on the ice.

Gorazde still comes under sporadic daily artillery bombardment from Serb positions in four surrounding towns, but it is quiet compared to the siege last summer. There is ample firewood in the nearby forests. The main fear of people is that they will be worn down and depleted come spring, will have to slaughter their livestock, and may have no seed to plant or fuel to operate farm or other vehicles.

Steubner's observations highlight growing questions about the UN agency's ability to sustain Bosnia through the winter. The Security Council ordered more than 6,000 troops from NATO countries to Bosnia-Herzegovina in September to protect deliveries from the UN agency to beleaguered communities. But the agency, trained to sustain refugees in peaceful conditions and now operating in war zones, has been reluctant to decide when to confront Bosnian Serbs and Croats who block the routes into Muslim enclaves.

The UN agency has tried to avoid a showdown with the heavily armed Serbs. "We don't like the idea of using force to get through. If we do it once, it puts in jeopardy our entire operation," said Sacha.

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